

### **REMARKS/ARGUMENTS**

The office action of June 16, 2005 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

The specification is amended to update reference information to related matters. Claims 1, 8, 16, and 22 are amended. Claim 25 is canceled. Claims 26-27 are withdrawn. No new matter is added.

#### **Restriction**

Applicants confirm election of the claims of Group I (claims 1-25) for examination.

#### **Claim objection**

Claim 25 has been canceled. Therefore, the objection is moot.

#### **Double Patenting**

Applicant hereby submits a Terminal Disclaimer. The rejection should be withdrawn.

#### **Rejection of claims under 35 U.S.C. § 102**

Claims 1, 3-5, and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Stephens (U.S. Patent No. 5,734,254). This rejection is respectfully traversed.

Claim 1 as amended recites, among other things, that the transmission element is configured to provide a polling message to the power adapter, the polling message comprising periodic energizing and de-energizing of the transmission element. Stephens fails to teach or suggest a polling message or energizing and de-energizing.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Because Stephens fails to teach each and every element as set forth in claim 1, the rejection should be withdrawn.

Claims 3-5 and 7 depend from claim 1. Therefore, claims 3-5 and 7 are allowable for at least the reasons set forth above for claim 1.

In addition, claim 7 recites a plurality of transmission elements responsive to a power adapter, the transmission elements being coupled to the processor unit and providing inductive energy to a power adapter. Stephens fails to teach or suggest a plurality of transmission elements coupled to the processor unit and providing inductive energy to a power adapter. Rather, Stephens merely discloses a single secondary transformer winding 32 (Col. 3, lines 34-35 and FIG. 1). The Office Action asserts that Stephens discloses elements 24, 38, 68, 54, 32, and 62 as a plurality of transmission elements (see Office Action, page 6). However, elements 24 and 54 of Stephens are IR ports (col. 3, lines 61 and 67), element 38 is disclosed as a device that indicates "that a battery pack is positioned for charging" (see col. 3, lines 50-53), and element 68 is a proximity detector (col. 3, lines 61-62). Also elements 24, 38, and 32 are disclosed as elements of the battery pack and are not disclosed as elements of the adapter 40 (see FIG. 1). Elements 24, 54, 32, 38 and 68 are therefore not transmission elements of the apparatus of claim 1 that are coupled to the processor unit and that provide inductive energy to a power adapter.

Therefore, contrary to the Office Action's assertion, Stephens fails to teach or suggest a plurality of transmission elements. The rejection should be withdrawn.

Claims 8, 10, and 11 were rejected under 35 U.S.C. § 102(b) as being anticipated by Parks (U.S. Patent No. 5,455,466). This rejection is respectfully traversed.

Claim 8 as amended recites, among other things, a coil configured for receiving inductive energy and for receiving a polling message and a power supply configured to output a direct current responsive to the inductive energy and the polling message. Stephens fails to teach or suggest a polling message or outputting a direct current responsive to the polling message. Therefore, the rejection should be withdrawn.

Claims 16, 17, 19, 22 and 23 were rejected under 35 U.S.C. § 102(b) as being anticipated by Garcia (U.S. Patent No. 5,963,012). This rejection is respectfully traversed.

Claims 16 and 22 recite, among other things, a polling message. Garcia fails to teach or suggest a polling message. The Office Action cites Garcia at col. 2, lines 47-59 as providing a polling message, however, Garcia merely discloses a sensor reading battery cell

parameters and transferring the battery parameter information to an external source. There is no teaching or suggestion of a polling message.

Also, claims 16 and 22, as amended, recite, among other things, that the polling message includes energizing and de-energizing of the source. Garcia fails to teach or suggest energizing and de-energizing of a source. Therefore, the rejection should be withdrawn.

Claims 17 and 19 depend from claim 16 and claim 23 depends from claim 22 and are allowable for at least the reasons set forth above for claim 16 and/or claim 22.

**Rejection of claims under 35 U.S.C. § 103(a)**

Claims 2 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephens in view of Stobbe (U.S. pat No. 6,275,143). Claims 9, 13, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parks in view of Stobbe. These rejections are respectfully traversed.

Claims 2 and 6 depend from claim 1. Claims 9, 13, and 15 depend from claim 8. As set forth above, Stephens and/or Parks fails to teach or suggest claim 1 or claim 8 as amended. Stobbe fails to make up for the deficits of Stephens or Parks. Stephens, Parks and/or Stobbe, either alone or in combination, fail to teach or suggest a polling message comprising energizing and de-energizing of the transmission element as recited in claim 1.

To establish *prima facie* obviousness of a claimed invention, all the claim features must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Because the combination of Stephens/Parks and Stobbe fails to teach or suggest all claim features, the rejection should be withdrawn.

Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Parks in view of Garcia. This rejection is respectfully traversed.

Claim 12 depends from claim 8. As set forth above Parks fails to teach or suggest claim 8 as amended. Garcia fails to make up for the deficits of Parks. Neither Parks nor Garcia, either alone or in combination teaches or suggests a polling message or outputting a

direct current responsive to the polling message. Therefore, the rejection should be withdrawn.

Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Parks in view of Higuchi (U.S. Pat. No. 6,163,132). This rejection is respectfully traversed.

Claim 14 depends from claim 8. As set forth above Parks fails to teach or suggest claim 8 as amended. Higuchi fails to make up for the deficits of Parks. Neither Parks nor Higuchi, either alone or in combination teaches or suggests a polling message or outputting a direct current responsive to the polling message. Therefore, the rejection should be withdrawn.

Claims 18, 24, and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Garcia in view of Stobbe. These rejections are respectfully traversed.

Claim 18 depends from claim 16. Claims 24 and 25 depend from 22. As set forth above Garcia fails to teach or suggest claim 16 or claim 22. Stobbe fails to make up for the deficits of Garcia. Neither Garcia nor Stobbe, either alone or in combination, teaches or suggests a polling message comprising periodic energizing and de-energizing of the source, for example. Therefore, the rejection should be withdrawn.

Claims 20 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Garcia in view of Higuchi (U.S. Pat. No. 6,163,132). These rejections are respectfully traversed.

Claims 20 and 21 depend from claim 16. As set forth above Garcia fails to teach or suggest claim 16. Higuchi fails to make up for the deficits of Garcia. Neither Garcia nor Higuchi, either alone or in combination, teaches or suggests a polling message or that the polling message comprises periodic energizing and de-energizing of the source, for example. Therefore, the rejection should be withdrawn.

Claim 19 was not addressed in the Office Action. Applicant requests confirmation that the Office Action intended to indicate claim 19 as allowable. In any event, claim 19 depends from claim 16 and is allowable for at least the reasons set forth above for claim 16.

Appln. No.: 10/733,760  
Amendment dated September 16, 2005  
Reply to Office Action of June 16, 2005

**CONCLUSION**

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

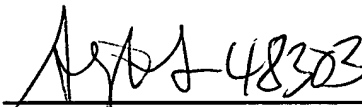
All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: September 16, 2005

By:

  
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